

**5-6. State Programs for Experimental Use Permits (1200 TN 103 5-6)**

**1. AUTHORITY.** To perform the Environmental Protection Agency functions and responsibilities relative to State issuance of experimental use permits, including: (a) the authority to authorize any State to issue an experimental use permit for a pesticide; (b) to sign Federal Register notices indicating an intention to approve State plans (and soliciting public comment); and (c) to sign Federal Register notices approving State plans, pursuant to Section 5(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

**2. TO WHOM DELEGATED.** Director, Land, Chemicals and Redevelopment Division (LCRD), for the authorities in 1(a) only.

**3. LIMITATIONS.** The authority to approve State plans is delegated to the Regional Administrator who will forward for review copies of all State plans to the Director, Office of Pesticide Programs and the General Counsel upon receipt and will notify the Director, Office of Pesticide Programs and the General Counsel at least five days prior to signing a Federal Register notice indicating an intention to approve or indicating final approval of a State plan.

**4. REDELEGATION AUTHORITY.**

- a. This authority may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

**5. ADDITIONAL REFERENCES.** EPA Order 1000.23.

**6. SUPERSESSION.** Delegations Manual, FIFRA, Regional Delegation 5-6, State Programs for Experimental Use Permits, 1200 TN RIII 84, (February 15, 1990).

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Cosmo Servidio  
Regional Administrator